

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Bryce A. Jones

Confirmation No.: 1039

Application No.: 09/477,991

Group No.: 2457

Filed: January 5, 2000

Examiner: Barbara N. Burgess

For: METHOD AND APPARATUS FOR PROCESSING WEB CALLS IN A WEB
CALL CENTER

Mailstop: Appeal Brief - Patents
Commissioner for Patents
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REPLY BRIEF

Introductory Comments

In response to the Examiner's Answer dated May 14, 2012 (hereinafter "the Examiner's Answer"), please consider the following remarks.

Remarks

Claims 166-167, 169-172, 176-177, and 179-182 stand rejected under 35 U.S.C. § 102(e) as being unpatentable over U.S. Patent No. 6,687,241 to Goss.

In its Response to Argument, the Examiner's Answer asserts that the Applicant's specification does not support the limitation of a "voice call" in claim 166 (see EA, pp. 2-3). Even if this assertion were true, 35 U.S.C. § 102(e) does not address the support of claimed limitations by the specification. Thus, in accordance with MPEP § 2131, Goss must still disclose every element of claim 166 arranged as required by claim 1 in order to anticipate claim 1 under 35 U.S.C. § 102(e). Accordingly, if claim 166 recites a "voice call," Goss must also disclose a ***voice call*** consistent with the limitations of claim 166.

Regardless, the specification clearly discloses that a web call can be a voice call. In particular, the specification's description of the prior art provides that "a web call is an Internet session for exchanging information using call treatment or videoconferencing treatment" (see specification, p. 3, ll. 11-12). The passage then continues by providing an example of a call treatment being for a voice call (see specification, p. 3, ll. 12-19). In other words, consistent with the Appellant's previous remarks on the subject as set forth in the Examiner's Answer (see EA, p. 3), ***the web call definition in the specification provides that a web call may be a voice call or a videoconference.*** However, the Appellant has chosen to limit claim 166 to that of a voice call. Therefore, the limitation of a "voice call" in claim 166 is clearly supported by the specification and the Examiner should interpret claim 166 accordingly.

In view of the above remarks, Goss fails to teach a ***voice call originating from a user device including a cookie***, as recited by claim 166.

Specifically, the Examiner's Answer now asserts that the "Click-n-Connect" functionality of Goss teaches the above limitation of claim 166 (see EA, p. 4). However, the Click-n-Connect functionality merely teaches that selecting a website option sets up an IP telephony session with a gateway that in turn initiates a telephone call over a PSTN to a call center (see col. 13, ll. 65-67, col. 14, ll. 1-13). ***There is no indication that a cookie is sent along with website selection to set up the call.*** Moreover, Goss' merely provides that cookies are used for maintaining a session between a customer browser and a web server (see Goss, col. 7, ll. 62-64). ***Goss does not teach that cookies are used***

between the customer browser and the gateway over which the IP telephony session is connected.

Therefore, the Click-n-Connect functionality of Goss further fails to disclose a *voice call originating from a user device including a cookie*, as recited by claim 166. Claim 166 is therefore allowable in view of the cited reference, and such indication is respectfully requested.

Independent claim 176 contains limitations similar to those of claim 166, and is therefore allowable over the art of record for at least the same reasons as claim 166.

The remaining dependent claims, while separately allowable over the art of record, depend from otherwise allowable independent claims. Therefore, the Applicant refrains from a discussion of the remaining claims for the sake of brevity.

Claims 168 and 178 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Goss in view of U.S. Patent No. 6,836,476 to Dunn.

Claim 168 requires that the voice call comprise a Get Document request in Hyper Text Transfer Protocol (HTTP).

The Examiner's Answer describes portions of both Dunn and Goss that disclose a customer's ability to interact with a website (see EA, p. 5). *These generic website interaction teachings do no teach the specific limitations of claim 168.* Therefore, the Examiner's Answer does overcome the fact that *neither reference discloses that an HTTP Get Document request is used as provided by claim 168.*

Based on the foregoing remarks, the Appellant contends that claim 168 is allowable in view of the cited references, and such indication is respectfully requested.

Dependent claim 178 contains limitations similar to those of claim 168, and is therefore allowable over the art of record for at least the same reasons as claim 168.

Claims 175 and 185 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Goss in view of U.S. Patent No. 7,536,002 to Ma.

The Examiner's Answer asserts that Ma is not cited for teaching cookies since that feature is already taught in Goss (see EA, p. 6). Thus, the Examiner's Answer asserts that Ma '113 overcomes the deficiencies of Goss by teaching that a web service application is selected based on monitored interactions in the same way cookies are used (see id.). However, even if the Examiner's interpretation of Ma '113 were correct, *claim*

175 explicitly recites the use of cookies and the final Office action acknowledges that Goss does not teach processing the cookie to select a web service application. Therefore, despite the assertion by the Examiner's Answer that the teachings of Ma '113 are the same as using a cookie, *the teachings of Ma '113 do not explicitly disclose that a cookie similar to the cookie mentioned in Goss can be used to select a web service application.*

In view of the above remarks the Appellant maintains that claims 175 and 185 are allowable over the art of record and such indication is respectfully requested.

Conclusion

In light of the foregoing remarks, the Appellant submits that the final rejection of the claims in their present form is erroneous, and respectfully requests its reversal.

The Appellant believes no fees are due with respect to this filing. However, should the Office determine fees are necessary, the Office is hereby authorized to charge Deposit Account No. 21-0765 accordingly.

Respectfully submitted,

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